



DT02 Rec'd PCT/PTO 2 2 FEB 2005 PCT~

PATENT
Atty. Docket No. 2823 (203-3209 PCT US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Joseph P. Orban, III

Examiner: To be Assigned

Serial No.: 10/516,435

Group Art Unit: To be Assigned

Filed: November 30, 2004

Dated: February 17, 2005

For: **ANNULAR SUPPORT STRUCTURE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

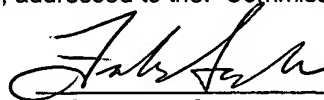
Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached PTO/SB/08A forms are brought to the attention of the Examiner. Copies of the cited U.S. patents and published U.S. patent applications are not provided pursuant to the waiver of this requirement under 37 C.F.R. §1.98 for national applications filed after June 30, 2003. Foreign patents are enclosed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 17, 2005



Francesco Sardone

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

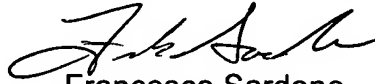
- ☒ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).

- ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
- ☐ Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.
- TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

The claims of the application as now presented are believed to
patentably distinguish over the prior art and to be in condition for allowance.

Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



Francesco Sardone

Reg. No. 47,918

Attorney for Applicant(s)

Carter, DeLuca, Farrell & Schmidt, LLP

445 Broad Hollow Road

Suite 225

Melville, New York 11747

Tel.: (631) 501-5700

Fax: (631) 501-3526

FS:td

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

| | |
|------------------------|-----------------------|
| Application Number | 10/516,435 |
| Filing Date | November 30, 2004 |
| First Named Inventor | Joseph P. Orban, III |
| Art Unit | To be Assigned |
| Examiner Name | To be Assigned |
| Attorney Docket Number | 2823 (203-3209 PCTUS) |

Sheet 1 of 3

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | | US- 6,045,560 | 04/04/2000 | McKean et al. | |
| | | US- 5,542,594 | 08/06/1996 | McKean et al. | |
| | | US- 5,002,551 | 03/26/1991 | Linsky et al. | |
| | | US- 4,838,884 | 06/13/1989 | Dumican et al. | |
| | | US- 4,655,221 | 04/07/1987 | Devereux | |
| | | US- 3,054,406 | 09/18/1962 | Usher | |
| | | US- 3,124,136 | 03/10/1964 | Usher | |
| | | US- 4,347,847 | 09/07/1982 | Usher | |
| | | US- 5,040,715 | 08/20/1991 | Green et al. | |
| | | US- 5,014,899 | 05/14/1991 | Presty et al. | |
| | | US- 4,354,628 | 10/19/1982 | Green | |
| | | US- 6,656,193 B2 | 12/02/2003 | Grant et al. | |
| | | US- 6,592,597 B2 | 07/15/2003 | Grant et al. | |
| | | US- 6,503,257 B2 | 01/07/2003 | Grant et al. | |
| | | US- 2002/0165563 A1 | 11/07/2002 | Grant et al. | |
| | | US- 2002/0165562 A1 | 11/07/2002 | Grant et al. | |
| | | US- 2002/0165559 A1 | 11/07/2002 | Grant et al. | |
| | | US- 2003/0183671 A1 | 10/02/2003 | Mooradian et al. | |
| | | US- 5,702,409 | 12/30/1997 | Rayburn et al. | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|---|--------------------------------|--|---|----------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | EP 0 594 148 A1 | 04/27/1994 | United States Surgical Corporation | | |
| | | DE 199 24 311 A1 | 11/30/2000 | Meissner, Bolte & Partner | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 3**Complete if Known**

| | |
|------------------------|-----------------------|
| Application Number | 10/516,435 |
| Filing Date | November 30, 2004 |
| First Named Inventor | Joseph P. Orban, III |
| Art Unit | To Be Assigned |
| Examiner Name | To Be Assigned |
| Attorney Docket Number | 2823 (203-3209 PCTUS) |

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | | US- 5,468,253 | 11/21/1995 | Bezwała et al. | |
| | | US- 5,263,629 | 11/23/1993 | Trumbull et al. | |
| | | US- 4,605,730 | 08/12/1986 | Shalaby et al. | |
| | | US- 6,045,560 | 04/04/2000 | McKean et al. | |
| | | US- 5,902,312 | 05/11/1999 | Frater et al. | |
| | | US- 5,895,412 | 04/20/1999 | Tucker | |
| | | US- 5,810,855 | 09/22/1998 | Rayburn et al. | |
| | | US- 5,766,188 | 06/16/1998 | Igaki | |
| | | US- 5,752,965 | 05/19/1998 | Francis et al. | |
| | | US- 5,503,638 | 04/02/1996 | Cooper et al. | |
| | | US- 5,397,324 | 03/14/1995 | Carroll et al. | |
| | | US- 5,441,193 | 08/15/1995 | Gravener | |
| | | US- 5,814,057 | 09/29/1998 | Oi et al. | |
| | | US- 5,964,774 | 10/12/1999 | McKean et al. | |
| | | US- 6,325,810 B1 | 12/04/2001 | Hamilton et al. | |
| | | US- 6,704,210 B2 | 03/09/2004 | Myers | |
| | | US- 2004/0116945 A1 | 06/17/2004 | Sharkawy et al. | |
| | | US- 4,930,674 | 06/05/1990 | Barak | |
| | | US- 5,542,594 | 08/06/1996 | McKean et al. | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

